

**U.S. Environmental Protection Agency - Tribal Environmental Plan  
Fiscal Year 2017 through Fiscal Year 2021  
Bear River Band of the Rohnerville Rancheria**

The General Assistance Program (GAP) was established by Congress to assist federally recognized tribes and intertribal consortia to plan, develop, and establish the capacity to implement programs administered by the U.S. Environmental Protection Agency (EPA), to assist in the development and implementation of solid and hazardous waste programs for Indian lands, and to provide technical assistance from the EPA to grant recipients to support the development of tribal multimedia programs to address environmental issues and priorities.

Pursuant to the Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia issued by the EPA on May 15, 2013, the EPA will develop an EPA-Tribal Environmental Plan (ETEP) with each General Assistance Program grant recipient. This document is intended to be a joint planning document that defines mutual roles and responsibilities for program implementation with the Tribe.

It is important to note that this ETEP neither commits the EPA to provide future financial resources, nor commits the Tribe to take any action; grants provided to the Tribe by the EPA will be based on specific workplans developed and budgets proposed, and are subject to the availability of funds. Going forward, this document will be used to guide GAP workplan development by the Tribe, which will ensure that future GAP workplans align with short- and long-term Tribal environmental priorities. This document will be reviewed annually by both the Tribe and the EPA GAP Project Officer, and updates can be made at any time.

This ETEP is a compilation of four documents:

- This cover memo, which summarizes areas of Tribal priority and EPA's engagement on those priorities;
- The Tribal Environmental Plan and Resolution of Support: The Tribe's own articulation of their comprehensive environmental program goals and needs, including a prioritization of those goals and needs;
- A summary of EPA's roles and responsibilities on Tribal lands in accordance with Federal laws and regulations; and
- An inventory of facilities regulated on Tribal lands by the EPA.

Based on the Tribal Environmental Plan, the following priorities are identified for the Bear River Band of the Rohnerville Rancheria, and the EPA has identified engagement and support opportunities as described below:

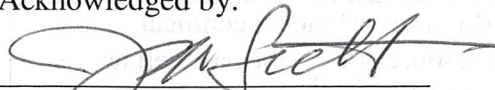
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<b>Bear River Band of the Rohnerville Rancheria Priorities</b>	<b>EPA Engagement: Identify what EPA program supports the activities and any implementation role (if any)</b>
<b>Indoor Air Quality</b> – To establish a program that focuses on home assessments and outreach.	The EPA Air Program provides technical assistance and resources to Tribes as well as information on creating an indoor air quality program. EPA can continue to support training related to air quality issues.
<b>Education and Outreach, General Administration</b> Establish and maintain core administrative, financial and information management capacities; and expand education and outreach.	EPA GAP program resources support developing and maintaining core environmental program capacities (administrative, financial management, information management, environmental baseline needs assessment, public education and communication, legal, and technical/analytical). Technical assistance is available.
<b>Energy Resources</b> Be 100% energy self-sufficient, include renewable sources.	The EPA GAP program supports the development of energy efficiency policies and program(s) (e.g., building design standards/codes, ENERGY STAR initiatives for government operations and tribal housing). Technical assistance available.
<b>Emergency Management</b> Keep staff trained for emergency situations and maintain up to date emergency operations plans.	EPA supports the Tribe in building capacity to respond to emergencies and environmental disasters. GAP funds are available to support the Tribe in developing their emergency response programs consistent with GAP guidance indicators and their own priorities and authorities.
<b>Waste Management</b> Keep waste out of the environment, promote good solid waste behaviors in the public, reduce the amount of waste at events and in tribal operations.	EPA supports the development and drafting of an integrated waste management plan through the GAP program, and supports the implementation of hazardous waste management activities, including the clean-up of open dumpsites, in accordance with the purposes and requirements of applicable provisions of law, including the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) Technical assistance is also available from EPA.
<b>Water Resources</b> Monitor the wetlands in order to maintain their health.	EPA provides guidance and support for wetlands management and program development, including funding through the Wetlands Program Development Grant. EPA GAP program funding is available to build baseline wetland program capacities including the development of a Wetlands Program Plan. Technical assistance is also available, provided by wetland experts in the Water Division.

**Wildlife and Habitat; Climate Change**  
Mitigate and adapt to changes in order to preserve the health of the wetlands and native species.

The EPA GAP program supports the development of program capacity to understand and address climate change impacts.

Acknowledged by:



U.S. EPA: Jeff Scott, Director, Land Division



Bear River Band of the Rohnerville Rancheria

**Bear River Band of the Rohnerville Rancheria**  
**Regulated Facilities List**  
Generated October 12, 2016

The following information was generated by the U.S. EPA on October 12, 2016 and validated by edwinsmith@brb-nsn.gov on December 12, 2016.

The purpose of this section is to provide an outline of how EPA Region 9 and the Tribe will work in partnership to ensure that federal environmental programs are implemented within the Reservation and consistent with EPA statutory and regulatory requirements. The current universe of facilities on tribal lands regulated by the EPA is summarized and the corresponding tribal and federal implementation roles/responsibilities are defined for the next four years.

Please note that this section does not attempt to characterize all federal authorities that may be implemented on Tribal lands. As new regulated facilities are proposed or new federal requirements are promulgated, or conditions on the Reservation change, EPA may exercise additional regulatory authorities or provide other assistance to the Tribe. Instead, this document defines for a particular time frame a list of specific activities in response to the existing inventory of regulated facilities and activities.

In accordance with the Agency's policies related to working with tribal governments, including the 1984 EPA Indian Policy, Executive Order 13175 *Consultation and Coordination with Indian Tribal Governments*, and 2011 EPA Policy on Consultation and Coordination with Indian Tribes, EPA will promote and facilitate communication and consultation with appropriate tribal leaders and staff as it implements its programs. EPA will use best efforts to ensure that outreach, information exchange, and requests for tribal input will occur early in any Agency process that may affect the Tribe. Full consideration will be given to the concerns of the Tribe.

**Protecting Ambient Air Quality**

Primary Federal Statute: *Clean Air Act (CAA)*

Approved Federal Authorities: *105*

<b>Federally Regulated Facilities within the Reservation</b>	
Major sources (Prevention of Significant Deterioration/Part 71 Permits)	<i>None</i>
Minor sources	<i>None</i>

<b>National Ambient Air Quality Standards Attainment Status</b>
<i>The tribe is located in an airshed that is unclassified/in attainment for Ozone 8 hr, PM10, PM 2.5, Carbon Monoxide, Lead, Nitrogen Dioxide, and Sulfur Dioxide per National standards.</i>

<b>Status of Emissions Inventories Submitted for Reservation</b>		
Inventory Category	Date Submitted	National Emissions Inventory
Major Source - Stationary source that emits or has the potential to emit any pollutant regulated under the CAA at a significant emission rate, as defined by 40 CFR 70.	<i>n/a</i>	<i>n/a</i>
Minor Source - Facility site that does not qualify as a major source.	<i>n/a</i>	<i>n/a</i>
Area Source – Sources that emit in a non-point way such as paint fumes	<i>n/a</i>	<i>n/a</i>
On-road Sources - Vehicles used on roads for transportation of passengers or freight, also called "on-highway."	<i>n/a</i>	<i>n/a</i>
Non-road Sources - Vehicles and equipment that operate off public roadways or highways.	<i>August 30, 2016</i>	<i>Diesel Generators for the following facilities:</i> <i>Bear River Casino and Hotel</i> <i>2 generators</i> <i>Bear River Pump and Play 1 generator</i> <i>Tish Non Community Center</i> <i>1 generator</i> <i>PWS Systems 1 generator for PWSID #090605119</i> <i>PWSID#09065125 is connected to Bear River Casino's back generator.</i> <i>Tish Non Wastewater Treatment Plant 1 generator</i> <i>Bear River Casino Fire Suppression System 1 generator</i>

### **Protecting Surface Water, Wetlands, and Drinking Water**

Primary Federal Statutes: *Clean Water Act (CWA), Safe Drinking Water Act (SDWA)*

Approved Federal Authorities: *CWA Section 106, CWA Section 319, CWA Section 104(b)(3)*

<b>Federally Regulated Facilities On Trust Parcels</b>	
National Pollutant Discharge Elimination System (NPDES) permits	<i>One for discharging treated wastewater effluent into wetlands</i>
Municipal separate storm sewer systems (MS4s) and multi-sector general permits (MSGPs) for industrial facilities	<i>None</i>
NPDES storm water construction general permits	<i>None</i>
Facilities/sites subject to Section 404 review	<i>None</i>

Public water supply systems	<i>There are two Public Water Systems on the Reservation: Tish Non Village (PWSID 090605119) serves 200 people. Singley Hill (PWSID 090605125) serves 1,000 people.</i>
Underground injection control wells	<i>None</i>

<b>Water Quality Standards Status</b>
<i>Tribe has not indicated plans to submit TAS package for consideration within the period of this ETEP</i>

### **Managing Wastes and Underground Storage Tanks**

Primary Federal Statute: Resource Conservation and Recovery Act (RCRA)

Approved Federal Authorities: None

<b>Federally Regulated Facilities within the Reservation</b>	
RCRA C treatment, storage, disposal facilities	<i>None</i>
RCRA C hazardous waste generators	<i>None</i>
RCRA D solid waste disposal facilities	<i>None</i>
RCRA I underground storage tanks	Bear River Pump & Play Station (BEAR001)
RCRA I leaking underground storage tanks	<i>None</i>

<b>Open Dumps Currently Inventoried on Reservation</b>	
Reported to wSTARS Operation and Maintenance Data System	<i>None</i>

### **Site Response and Emergency Preparedness Planning**

Primary Federal Statutes: Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Emergency Planning and Community Right-to-Know Act (EPCRA); Small Business Liability Relief and Brownfields Revitalization Act; CAA; CWA

Approved Federal Authorities: *None*

<b>Federally Regulated Facilities for Emergency Planning</b>	
Facilities that must report to Local Emergency Planning Committee/Tribal Emergency Planning Committee (EPCRA)	<i>None</i>
Facilities required to develop a risk management plan under CAA Section 112(r)	<i>None</i>

Oil storage facilities regulated under Spill Prevention Control and Counter Measures (SPCC) Rule (CWA Section 311)	<i>None</i>
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<b>Contaminated Sites Addressed Under CERCLA</b>	
Emergency response and removal actions	<i>None</i>
Site assessment and National Priorities List (NPL) site remediation	<i>None</i>

<b>Contaminated Sites Addressed Under Non-CERCLA Authorities</b>	
Targeted Brownfields Assessment projects	<i>None</i>
Number of potential Brownfields sites inventoried and/or assessed	<i>None</i>

<b>Formal Organization under EPCRA</b>
<i>None</i>

#### **Managing Pesticides and Toxics (Lead-Based Paint and Asbestos)**

Primary Federal Statutes: Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); EPCRA; Toxic Substances Control Act (TSCA); Asbestos Hazard Emergency Response Act (AHERA)

Approved Federal Authorities: *TSCA Section 1040 (Lead-Based Paint)*

<b>Federally Regulated Sites and/or Facilities</b>	
Registered pesticide producing establishments	<i>None</i>
Retail establishments selling pesticides	<i>None</i>
Agricultural sites including Farms; Greenhouses; Nurseries; and Forests (used for production of timber, Christmas trees or other commercial products).	<i>None</i>
Number of structures, including but not limited to office/administration buildings, schools, casinos, hospitals, clinics, senior centers, housing, child care facilities and restaurants where pesticides may be applied.	<i>The casino and hotel, c-store, community center, tobacco traders, gaming office, Environmental office, and some residential homes.</i>
Other non-agricultural areas such as wetlands, roadsides, rangeland, utility rights-of-way where pesticides may be applied.	<i>None</i>
Facilities that must report under the Toxic Release Inventory (EPCRA Section 313)	<i>None</i>
Amount of pre-1978 housing and child-occupied facilities (pre-school, daycare, etc.)	<i>Not inventoried</i>
K-12 schools	<i>None</i>



## **Areas of Involvement**

### **Bear River Band of the Rohnerville Rancheria**

The U.S. Environmental Protection Agency (EPA) has the responsibility for managing federal environmental programs in Indian Country, unless and until tribes have assumed regulatory and program management authorities. As set forth in EPA's 1984 Indian Policy, the Agency will assist interested tribal governments in assuming regulatory and program management responsibilities for those programs that have delegable responsibilities. EPA recognizes that because it will take time and resources for tribes to assume regulatory responsibilities, there will be a period of time during which EPA is primarily responsible for managing federal environmental programs in Indian Country. For those regulatory and program management responsibilities that cannot be assumed by tribal governments, the Agency will continue to ensure implementation on tribal lands.

In carrying out its responsibilities in Indian Country, EPA's fundamental objective is to protect human health and the environment. EPA recognizes tribal governments as sovereign entities with primary authority and responsibility for tribal populations. EPA's Indian Policy recognizes the Agency's commitment to working with tribes on a government-to-government basis in making decisions to carry out program responsibilities in Indian Country. As with other responsibilities carried out by EPA, the Agency's efforts to undertake direct implementation are constrained by the availability of resources and the limitations of federal statutory and regulatory authorities. Given these constraints, EPA's direct implementation efforts will focus on areas of greatest significance to the protection of human health and the environment. Working under the principles of the EPA Indian Policy and on priority problems that have been identified, EPA believes that over time, environmental quality in Indian Country can be significantly enhanced.

EPA is actively engaged with the Bear River Band of The Rohnerville Rancheria (Bear River) in the following areas:

- **GAP:** Bear River has utilized GAP funding for more than a decade to build capacity within the Environmental Department. The Tribe has trained waste water and drinking water operators who operate their facilities, developed appropriate codes, ordinances and plans, and developed a successful recycling program that diverts e-waste, paints, solid waste and household hazardous wastes. Bear River continues to expand their capacity and are currently developing a Tribal Environmental Plan.
- **Drinking Water:** Bear River operates a public water system which treats for iron and manganese. The plant primarily serves the Casino, Tribal Administration buildings, and a small community. The plant is well managed and operated.
- **CWA 106:** Bear River monitors stormwater runoff and at several sites in a wetlands area on the Rancheria. Water quality monitoring results show that water quality is good.
- **CWA 319:** Bear River has developed several different plans for CWA implementation including a vegetation management plan and invasive species management. The Tribe also works with other stakeholders in the Eel River Watershed to address polluted runoff throughout the Watershed.

In addition, the Agency has Direct Implementation responsibilities on Tribal Lands as follows:

### ***Clean Air Act (CAA)***

**Designations:** The Agency issues national ambient air quality standards (NAAQS) for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter (PM10 and PM2.5), and sulfur dioxide. The

NAAQS are reviewed every five years, and when updated, a designation must be made for each reservation. When a new or revised NAAQS is issued, EPA has the responsibility to designate geographic areas as nonattainment (area does not meet the standard) or attainment/unclassifiable (area meets the standard or area cannot be classified on the basis of available information). The Tribe is listed as in attainment or unclassified for all federal and state standards except for the state 24hr PM10 standard.

***Tribal Implementation Plans (TIPs):*** TIPs are a collection of regulations (including emission limits, monitoring requirements, enforcement programs) that will be used to achieve and maintain NAAQS. EPA has developed NAAQS for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. For the tribal lands that are not in attainment for the new standard and have major sources, a TIP may need to be developed. No TIP is currently being developed for the Tribe.

***Permitting and Enforcement:*** Where tribes have not assumed permitting authority, and are in an attainment area, EPA has the responsibility to issue prevention of significant deterioration (PSD) construction permits for new major facilities and major modifications to existing major facilities. Under the Tribal New Source Review Rule, finalized in 2011, EPA also has the responsibility to issue construction and operating permits for “minor” sources on tribal lands. After construction is complete, operating permits (also known as Part 71 permits) are required for facilities that are classified as “major” or meet other criteria. Major sources are those that emit, or have the potential to emit on an annual basis, at least 100 tons of any air pollutant or ten tons of a hazardous air pollutant (or lower thresholds if the source is in an area with poor air quality). The permits specify what requirements apply to the facility and what actions the facility must take to comply with those requirements. For more information on permits issued, see the “Regulated Facilities” section of this document. Where tribes have not assumed CAA authority, inspections will be conducted to determine if specific major facilities/sites are meeting CAA requirements. Based on the inspections, appropriate enforcement action will be taken on sources with applicable requirements.

***Risk Management Planning:*** Under Section 112(r) of the CAA, certain facilities required to report under SARA Title III also must submit to the Agency risk management plans (RMPs) which outline risks posed to the surrounding community and measures in place to mitigate those risks and/or respond to emergencies at the facility. The Agency has the responsibility to verify that the RMPs contain the necessary components and are adequate.

***NESHAP: The National Emissions Standards for Hazardous Air Pollutants:*** The NESHAPS program is part of EPA’s strategy to regulate air toxics from area sources. The emissions standards cover a range of industrial sectors or source categories promulgated by EPA.

## ***Clean Water Act (CWA)***

***Water Quality Standards:*** Water quality standards (WQS) are requirements that: (1) specify the uses of a particular water body; (2) establish the criteria that are necessary to protect those uses; and (3) establish a policy for protecting existing water quality. Once developed, WQS are the mechanism that is used to implement water quality programs (such as setting effluent limitations for discharge permits). Where tribes have not developed their own WQS and received EPA approval, the Agency has the responsibility to provide federal WQS coverage.

***Permitting:*** Under Section 402 of the CWA, facilities which discharge pollutants into surface waters must apply for and receive a National Pollutant Discharge Elimination System (NPDES) permit from EPA. The permit specifies effluent limitations, facility operational requirements, and monitoring and reporting requirements. Depending upon the facility, EPA also ensures that the permitting action complies with the National Environmental Policy Act, Endangered Species Act, National Historic Preservation Act, and other applicable Federal cross-cutting authorities.

***Stormwater Discharge Permitting:*** The CWA requires NPDES permits for storm-water discharges associated with industrial or construction activity. The Phase I Rule regulates discharges from municipal separate storm-sewer systems with populations of at least 100,000 and 11 categories of industrial activity, including construction sites that disturb five or more acres. The Phase II Rule expands coverage to include storm-water discharges from small municipal separate storm sewer systems and discharge from construction sites between one-five acres.

***NPDES Permits Inspection, Compliance Assistance, and Enforcement:*** Agency reviews discharge monitoring reports (DMRs) from facilities, and quarterly noncompliance reports (QNCRs) from state agencies. Inspections can be carried out to verify that NPDES requirements are met. Based on the compliance tracking and inspections, enforcement actions may be taken as appropriate.

***Water Quality Certification:*** Under Section 401 of the CWA, any applicant for a federal license/permit to conduct an activity which may result in a discharge into navigable waters must obtain certification that such discharge will comply with the CWA. For tribes that have not assumed CWA Section 401 authority, the Agency is responsible for issuing the required certifications. Any federal permit or license can potentially require certification, but the most common is a CWA Section 404 permit for the discharge of dredged or fill material (another is Federal Energy Regulatory Commission (FERC) relicensing for hydroelectric dams).

***Dredge and Fill Permitting:*** Under Section 404 of the CWA, a permit is required for the discharge of dredged or fill material into wetlands and streams, including those that may be seasonally dry. For tribes that have not assumed Section 404 of the CWA, the Army Corps of Engineers is the federal permitting authority. EPA's role is to review and provide comments on proposed Section 404 permits, to prohibit discharges that would be unacceptably damaging, and to take enforcement action for unpermitted discharges.

***Wetlands Inspection, Compliance Assistance, and Enforcement:*** When instances of noncompliance with Section 404 of the CWA are discovered on reservations where tribes have not assumed Section 404 authority, the Agency or the Army Corps of Engineers may conduct inspections and take enforcement action, as appropriate.

***Oil Spill Response:*** Under Section 311 of the CWA, the Agency is required to respond to releases into navigable waters of petroleum products that pose a threat to human health and the environment. The Agency has the responsibility under CWA Section 311 to oversee clean up.

***Oil Storage Facilities Inspection, Compliance Assistance, and Enforcement:*** Under Section 311 of the Clean Water Act, above ground oil storage facilities must prepare a spill prevention, control and counter-measures (SPCC) plan. The Agency has the responsibility to verify that the plans contain the necessary components and are adequate.

## ***Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)***

***Hazardous Waste Releases Database:*** The Agency maintains the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), an inventory of locations where hazardous wastes are believed to have been released. With every action taken at a particular site, CERCLIS is updated to reflect current site status. CERCLIS is available on-line at [www.epa.gov/superfund/sites/topics](http://www.epa.gov/superfund/sites/topics).

***Emergency Response:*** When notified of a release of hazardous substances to the environment, EPA has authority to coordinate an immediate response to clean-up and/or contain the hazardous substances.

***Site Remediation:*** The most serious hazardous waste sites are placed on the National Priority List (NPL) and targeted for clean-up first. The Agency will coordinate the process to clean-up the NPL sites identified in Region 9 Indian Country.

## ***Emergency Planning and Community Right to Know Act (EPCRA)***

***SARA Title III Inspections, Compliance Assistance, and Enforcement:*** Under SARA Title III amendments to CERCLA, any facility that produces, uses, or stores particular chemicals in a quantity greater than the threshold planning quantities must meet certain emergency reporting requirements. Reports are to be submitted to the tribal emergency response commission (TERC) or the formal EPCRA organization (including local emergency response commission) selected by the tribe, and the local fire department. If these reports have not been submitted, EPA can take enforcement actions. SARA Title III also sets forth requirements for creation of such response commissions and places obligations on the TERC for emergency planning and exercising those plans. A recent administrative law judge decision in EPA Region 3 indicates that the latter steps need to be in place in order for enforcement actions to be supported against a challenge in court.

***Regulated Facility Inspections, Compliance Assistance, and Enforcement:*** Under Section 313, an owner or operator of a regulated facility must report to EPA and the state, environmental releases, off-site transfers, and particular information required by the Pollution Prevention Act for specific toxic chemicals listed by statute/regulation that were manufactured, processed, or otherwise used in quantities exceeding an established threshold quantity during a calendar year. This information is stored in a database known as the Toxic Release Inventory. Such reports are to be filed by July 1<sup>st</sup> for the preceding calendar year. The Agency conducts inspections and issues enforcement actions to achieve compliance.

## ***Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)***

***Operate Certification Program:*** Under FIFRA, applicators must be certified as competent to apply restricted use pesticides in accordance with national standards. Applicator training includes safe pesticide use, label comprehension, pesticide application equipment and techniques, environmental hazards, pesticide product information, and laws/regulations. For tribes that have not assumed federal programs and have not entered into agreements with the state, the Agency has the responsibility to assure that applicators of restricted use pesticides operating in Indian Country have the necessary training on pesticide use and integrated pest management, and are certified to apply restricted use pesticides.

***Enforce Establishment Compliance:*** Under FIFRA, pesticide products must be registered with EPA before they can be sold and distributed. Any establishment that produces a pesticide or pesticide active

ingredient must be registered with EPA. FIFRA also imposes reporting and recordkeeping requirements on certain establishments. EPA conducts inspections at producing and retail establishments, and any other establishment that distributes pesticides, to ensure proper registration, labeling, formulation, reporting, and recordkeeping.

***Enforce Pesticide Use Compliance:*** Under FIFRA, all registered pesticides have labels which include precautions, warnings and use directions. An applicator who does not fully comply with the label requirements is in violation of FIFRA. Product labels for pesticides registered for use on farms, forests, nurseries and greenhouses, will cite the requirement to follow the Worker Protection Standards (WPS). Agricultural establishments and commercial establishments who use such pesticide products must adhere to some or all of the use requirements under the WPS; the WPS were strengthened in 2016 by the EPA. The Agency is responsible for verifying that pesticides are being used in accordance with their labels, and if not, take appropriate enforcement action.

***Enforce Endangered Species Protection Program:*** Under FIFRA, pesticide labels instruct users to comply with the limitations set forth in each county endangered species bulletin. EPA has the responsibility to assure that pesticide users comply with the stated label limitations.

***Enforce the Pesticide and Groundwater Management Plan Rule:*** Under the Rule, states and tribes are required to develop a pesticide management plan (PMP) to protect groundwater from the pesticide active ingredients atrazine, simazine, alachlor and metolachlor. If PMPs are not developed and approved by EPA, the use of these pesticide active ingredients will be prohibited on the reservation. If a tribe elects not to develop a PMP, the Agency will enforce the use prohibition.

### ***Resource Conservation and Recovery Act (RCRA)***

***Hazardous Waste Reporting and Notification:*** Under Sections 3002-3003 of RCRA, facilities that handle (generate, store, transport, etc.) hazardous wastes must notify EPA and receive a RCRA identification number. A waste is considered hazardous if it possesses at least one of four characteristics (ignitability, corrosivity, reactivity, or toxicity), or EPA has determined it is a “listed hazardous waste.” EPA maintains information on hazardous waste handlers in Region 9 Indian Country.

***Hazardous Waste Permitting:*** Under Section 3005 of RCRA, facilities that treat, store, and/or dispose of hazardous waste must receive a federal operating permit. The permits specify applicable requirements and what actions the facility must take to comply with those requirements.

***Hazardous Waste Inspections, Compliance Assistance, and Enforcement:*** Under Section 3007 of RCRA, inspections will be performed to verify that facilities are meeting RCRA requirements. Compliance assistance will be offered to help facilities maintain compliance. If required, appropriate enforcement action will be taken to ensure facilities are in compliance.

***Solid Waste Inspections, Compliance Assistance, and Enforcement:*** Inspections will be performed to verify that construction/demolition landfills are in compliance with 40 CFR Part 257 and municipal solid waste landfills are in compliance with 40 CFR Part 258. Compliance assistance will be offered to help facilities maintain compliance. If required, appropriate enforcement action will be taken to ensure facilities are in compliance.

***Underground Storage Tank (UST) Reporting and Notification:*** Under Section 9002 of RCRA, there are reporting requirements for the following occasions: at the time of UST installation, when a suspected

release occurs, when corrective actions are taken, and when the UST is permanently closed. Section 9002 of RCRA explicitly states all tank notifications must be sent to the implementing state agency, however; Region 9 maintains this information for Indian Country. Proposed UST regulatory changes are anticipated in the near future which will change UST Notification to include changes in UST ownership.

***UST Inspections, Compliance Assistance, and Enforcement:*** Under Section 9005 of RCRA, facilities will be inspected to verify that the USTs are in compliance with the federal requirements for operation and maintenance. EPA will offer compliance assistance to help facilities maintain compliance, and take appropriate enforcement actions to ensure facilities are in compliance.

***Corrective Action Oversight:*** The Agency will provide oversight during the remediation of leaking underground storage tanks (LUSTs).

### ***Safe Drinking Water Act (SDWA)***

***Monitor Public Water Supplies:*** Under the SDWA, public water supplies are required to monitor drinking water in accordance with national standards, and meet maximum contaminant level (MCL) and treatment requirements. Monitoring reports are submitted to the Agency for compliance review, tracking, and input into the national database. The Region 9 goal is at least 90% of the tribal community water systems will be in full compliance with monitoring and reporting requirements.

***Enforce Public Water Supply Requirements:*** Instances of noncompliance with monitoring, MCL, or reporting requirements will be followed-up on, and appropriate enforcement action taken. The national EPA goal is at least 95% of the population served by tribal community water systems will be provided drinking water that meets all EPA health-based standards.

***Underground Injection Control Regulation:*** Under the SDWA, the Agency has the responsibility to prohibit underground injection control (UIC) wells that are not permitted or authorized by rule. The owner/operator of a well is required to obtain a permit or be authorized by rule in order to operate. The Agency issues permits for the following types of UIC wells: Class I (hazardous and nonhazardous waste), Class II (oil/gas production related), Class III (extraction of minerals), and one type of Class V (spent-brine return flow).

***Underground Injection Control Inspection, Compliance Assistance, and Enforcement:*** Under the SDWA, the Agency has established national requirements for proper operation and closure of UIC wells. The Agency has the responsibility to assure that all regulated UIC wells are in compliance.

### ***Toxic Substances Control Act (TSCA)***

***Pre-1978 Housing:*** Section 1018 of TSCA requires disclosure of information concerning lead-based paint and lead-based paint hazards before the sale or lease of target housing built before 1978. The Agency has the responsibility to ensure that proper disclosure is occurring on tribal lands.

***Lead Paint Training, Accreditation, and Certification Program:*** Section 402 of TSCA requires accreditation of lead-based paint training programs, certification of individuals and firms engaged in lead-based paint activities, and work practice standards for performing such activities. The Agency has the responsibility to ensure that individuals and firms performing lead-based paint activities

(inspections, risk assessments and abatement) in Indian Country have the necessary training and certification.

***Lead Paint Inspections, Compliance Assistance, and Enforcement:*** Section 406(b) of TSCA requires that compensated renovators distribute information on lead-based paint and lead-based paint hazards to owners and occupants of most pre-1978 residential housing before beginning renovations. The Agency has the responsibility to ensure that the required information is distributed prior to renovation in Indian Country.

***Asbestos Inspections, Compliance Assistance, and Enforcement:*** The Asbestos Hazard Emergency Response Act (AHERA) requires schools to be inspected for asbestos-containing building materials, to develop management plans, and implement response actions in K-12 schools. The statute also requires other persons to comply with the requirements of AHERA or any rule or order issued under AHERA. The Agency is responsible for overseeing compliance with AHERA and for providing outreach and technical assistance. The Model Accreditation Plan requires mandatory training and accreditation for all persons who inspect for and who design and conduct response actions regarding asbestos-containing building materials in school, public, and commercial buildings. The training includes how to properly identify asbestos, as well as, the proper techniques and procedures to prevent releases of asbestos. Training and accreditation can be obtained through the following sources: EPA-approved tribal accreditation program, EPA-approved state accreditation program, EPA-approved accreditation program administered by private companies.

***Polychlorinated Biphenyl (PCB) Inspections, Compliance Assistance and Enforcement:*** TSCA regulations include a ban on the manufacture, processing, and distribution in commerce of PCBs, as well as, requirements for proper use, storage, disposal, recordkeeping, and marking. The Agency conducts inspections to ensure compliance with these regulations.

***PCB Remediation:*** PCB regulations require the proper disposal of PCBs and/or PCB contaminated material by a permitted facility (e.g. incinerator or landfill). There are also regulations governing the remediation of PCBs that were improperly disposed or spilled.

***Core TSCA Inspections, Compliance Assistance, and Enforcement:*** TSCA provides the Agency with authorities to control, including prohibit any aspect of commerce, those chemical substances and mixtures which present an unreasonable risk of injury to health or the environment, and to take action with respect to chemical substances and mixtures which are imminent hazards. Such aspects of commerce include the manufacture, processing, labeling, processing, distribution, importation, storage, testing, use, exportation, disposal, and/or recordkeeping of chemical substances and mixtures. The Agency ensures compliance with the statutory and regulatory requirements of core TSCA through inspections and enforcement actions.



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# TRIBAL ENVIRONMENTAL PLAN

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BEAR RIVER BAND OF THE ROHNERVILLE RANCHERIA



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2017-2021

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# 1. Introduction to the (E)TEP

## 1.1 ETEP Overview

The EPA-Tribal Environmental Plans (ETEPs) *required by the GAP Guidance* institutionalize a mechanism by which EPA can be informed of and appropriately consider tribal environmental interests associated with EPA responsibilities for program implementation.

***This document is the TEP portion of the ETEP*** and is guided by the ENR department's strategic plan. The strategic plan and TEP should be updated at least once a year. The TEP includes all goals and objectives of the department, not just those that are EPA-grant eligible. This TEP is intended to be a living, usable document. The excel format of the TEP makes it highly usable, as categories are easily searched and filtered. The TEP is a management tool that outlines the next four years by noting objectives, their funding sources, and more. The TEP is also valuable in that it helps focus the department through staff turnover. The excel version of the TEP will help measure the progress of meeting the tribe's goals and objectives.

### **Four (4) Required Components of an ETEP (By EPA):**

1. Identification of tribal environmental program priorities, including capacity building and program implementation goals
2. Identification of EPA program priorities and management requirements
3. Inventory of regulated entities
4. Identification of mutual roles and responsibilities

### **Main Components of Bear River's ETEP**

1. An *excel spreadsheet* (Identifies mutual roles and responsibilities and Identification of tribal environmental program priorities, including capacity building and program implementation goals)
2. *Narrative documents* for each program area the ENR department manages (Identifies mutual roles and responsibilities and Identification of tribal environmental program priorities, including capacity building and program implementation goals)
3. A *regulated Facilities List* – ***Attached separately***
4. An *areas of Involvement List* from the EPA (Identifies EPA program priorities and management requirements) –***Attached separately***

**The ETEP will be available in the Department's z-drive under 'ETEP', each document will be able to be opened individually (e.g. just the excel version, just the energy section, just the regulated facilities list, etc); also in the z-drive will be the ETEP presented in one PDF—minus the excel spreadsheet.**

## 1.2 Guidance on using and updating the TEP

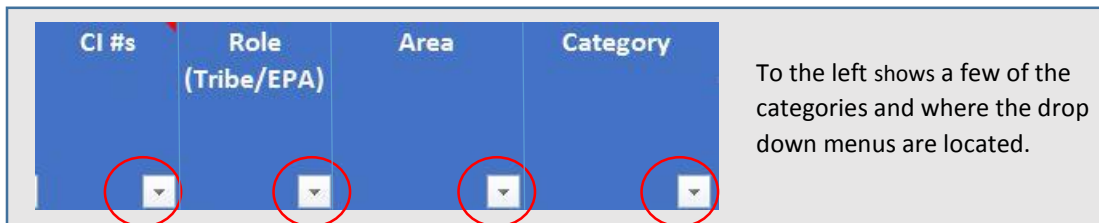
### **Layout and Features of the TEP Excel Spreadsheet**

For the ENR department, the excel sheet is the most interactive and useful aspect of the TEP. The excel sheet contains a tab that gives an overview of the TEP, a tab for the work plan, and a tab to file archived objectives. In the 'ETEP Strategic Work Plan' tab: the first table shows descriptions of priority program areas, the second table shows the long-term program area goals, and the last table shows the objectives.

### How to Make Use of the Objectives Table

The objectives table is customizable and versatile. The table can be used to show the year, objective, capacity indicators, role of task, type of activity, and area of activity. Additionally, the table can be used in more depth to include: whether the objective is a repeat activity, the source of the objective, the status of the objective, delegation of staff responsibility, if it is GAP eligible, sourced from other funding, and more.

Each column/category of the table can be filtered by clicking on the bottom right button in the cell: this will open a drop down menu, you may then 'select all' or click certain features of that category that you want to focus on. For example, you can click to only see things for a certain year, or a certain area, or a certain staff member's objectives.



Being able to sort the table by category will be useful if you only want to look at objectives the water quality specialist will complete; or at projects that fall in the 'implementation' area; or projects that fall in the 'training' area, etc. The table also lets you sort by repeat objectives, so that you may see what objectives from previous years still need to be expanded on.

### Updating the TEP Yearly

The TEP should be updated yearly. Objectives may be revised, re-evaluated, or removed. The past years objectives should be filed in the Archived Objectives tab of the TEP Excel sheet.

### Copying Tables from the Excel Sheet into a Word Doc

To copy and paste excel sheet into Word: hide irrelevant columns, copy and paste the items you want to show into a word doc. You may need to change column size and set Word doc orientation to landscape.

### Excel Functions

Features in Excel that may need to be used:

- To see the full tables unfiltered, look under the home tab, click 'Sort & Filter' on the right, Click clear filters in order to see the full table unfiltered (it may already be unfiltered).
- To make a paragraph break, 'alt+enter'
- 'Ctrl + D' lets you select a cell and any number of cells below it and it fills the selected cells with the same thing as the first cell.
- To hide parts of table: highlight cells and right click, choose hide.

## 2. Background Information

### 2.1 General Characteristics and History of Bear River Band of the Rohnerville Rancheria

Bear River Band of the Rohnerville Rancheria (Bear River) is located on the Northern Californian Coast in the County of Humboldt. Bear River Band of the Rohnerville Rancheria is a federally recognized tribe of the Mattole, Eel River, Bear River, and Wiyot People. The tribe was originally formed in 1910 as a home for homeless, landless Native Americans. In 1958 the tribe was terminated by an act of congress and later recognized in 1983 through a class action lawsuit known as the Tillie-Hardwick case. It was not until 1994 that the first four homes were built, since then the tribe has expanded trust lands to surrounding areas, developed more homes, and created economic investments.

Today, with over 170 acres in trust and over 100 acres in fee simple, the landscape of the Rancheria is set on rolling hills that were formerly cow pastures. There are riparian corridors on most sides of Rancheria lands, however the land is dominated by the former pasture grass. Also defining the land is a mitigation project wetland area that dissects the property. Bear River also holds housing in the nearby City of Fortuna, the Basayo Village apartment complex lies amongst a riparian area with a small creek.

The ancestral territory includes Bear River along to the coastline near the mouth; the western side of Eel River from the mouth of the Van Duzen River to the present town of Scotia; the Mattole River from the Pacific Coast to near the mouth of the Upper Fork River. On the coast, the Mattole held lands from the end of Davis Creek south to Spanish Flat. Nongatl territory encompassed most of the Van Duzen River, including its main tributary, Yager Creek. In addition, the Nongatl also held a large section of the Mad River, a smaller section of the Eel River, and a majority of the Larabee Creek. Wiyot territory began at the Little River and extended south to the mouth of the Van Duzen River. Its eastern boundary follows the crest of the first mountain range behind the coast plain. See appendix, page 18 for map of ancestral lands.

### 2.2 Overview of Program Areas of the Environmental and Natural Resources Department

The Environmental and Natural Resources (ENR) Department consists of the ENR Director, the ENR Assistant, and the Water Quality & GIS Specialist.

The ENR department contains the following program areas in variable stages of development. The program areas are listed below along with a description in italics, followed by a brief explanation of the general progress of that area. ***(More details on future program goals and objectives can be found in the excel sheet or narrative section)***

**Indoor Air Quality (IAQ)**— *The Indoor Air Quality program will teach healthy IAQ practices as well as perform IAQ home assessments and recommendations.*

This program area is being developed, training in the area has been obtained, but minimal outreach has occurred and no assessments have yet been performed. GAP funds will be used to further develop this area.

**Education and Outreach**— *The E&O program area is based on increasing awareness of environmental issues and promoting community involvement.*

This program area is underdeveloped, more structure and method will be added to this area through use of GAP funds.

**Energy**— *The Energy Resources area is focused on developing clean energy sources.*

This program area is active, a DOE grant was recently received (2017) that will allow the tribe to develop an energy options analysis to pursue the goal of zero-net energy.

**Emergency Management**— *The emergency management program area is focused on keeping emergency response procedures and plans up-to-date and effective.*

Hazardous materials training has been kept up on yearly. A basic EOP for the community and tribal government has been created. The EOP needs continued improvement and yearly updates. Drills and tabletop exercises need to occur more frequently.

**General**— *This program area covers general administrative and financial areas.*

There are future plans to form more concrete and organized administrative practices.

**Bio-Intensive Lands**— *This program area is focused on developing bio-intensive landscaping options and green spaces in order to sequester carbon and boost native food availability.*

There is no structure or funding source for this area currently.

**Waste Management**— *This program area focuses on maintaining and creating effective, safe, and environmentally friendly waste management practices.*

There are codes for waste management as well as a SWMP, both are old. In 2017/18 there will be a new SWMP (funded through GAP).

**Water Resources**— *This program area focuses on protecting the tribe's wetlands, groundwater, and cultural waterways.*

This program area has been active for years through CWA 106 funding which allows the monitoring of the wetlands. Other water resource areas have room for expansion.

**Wildlife and Habitat**— *This area is focused on cultivating healthy and safe environments for wildlife.*

This program area has not been worked on directly.

**Climate Change**— *This area is focused on mitigating and adapting to the impacts of climate change.*

This area was once funded by GAP, currently is being worked on by a BIA funded Climate Change Intern in planning capacities. In 2017/18, an Americorps volunteer will work in this area to implement capacity building frameworks.

**Multiple Areas**— *This section contains objectives that fall within multiple program areas*

### 3. Goals and Objectives by Program Area, for 2017-2021

This section is separated by program area; it contains program area goals, and objectives for 2017-2021. After each objective, the responsible party's role is listed, i.e. the Tribe's or EPA's. The GAP Capacity Indicator is also listed if known and/or relevant.

#### 3.1 Indoor Air Quality (IAQ)

##### Long-Term Goals:

- Ensure every tribal home and office has been assessed for Indoor Air Quality Issues
- Ensure that every tribal member and employee is knowledgeable on why good Indoor Air Quality is important for their health
- New construction of buildings will optimize healthy Indoor Air Quality

##### Intermediate Objectives/Milestones:

###### 2017-2018

- Develop and distribute indoor mold education and outreach materials – Tribe, B.6.2, B.6.7, C.3.32
- Establish a community outreach and education program for indoor air quality and climate change – Tribe, C.3.19
- Purchase moisture meter, Radon test kit, and temperature meter to show Tribal members how to check indoor air quality –Tribe
- Create a green building code, guidelines and/or protocols that promote healthier indoor air quality and apply this practices to new housing construction and rehabbing existing buildings. – Tribe, C.31

###### 2018-2019

- Develop a QAPP for Indoor Air Quality – Tribe, B.8.1
- Develop a management plan for Indoor Air Quality – Tribe, B.8.1
- Develop a monitoring and sampling plan for indoor air quality – Tribe, B.8.4
- Develop and complete an indoor air quality assessment report – Tribe, C.3.3, C.3.10
- Prepare a report with recommending actions to improve indoor air quality and reduce levels of radon, mold moisture and environmental pollutants – Tribe, C.3.12
- Attend the National Tribal Air Forum –Tribe
- Online training for air resource management for radon –Tribe

###### 2019-2020

- Continue indoor mold testing in tribal homes and businesses (upon request) and report findings to council and residents – Tribe, B.8.4, C.3.7, C.3.10, C.3.12
- Conduct indoor air quality monitoring and analysis for priority pollutants; Identify and/or secure indoor air quality monitoring equipment for priority pollutants– Tribe, C.3.11

###### 2020-2021

- Integrate good indoor air quality building science into green building codes/plans/policies– Tribe
- Compile report on progress/results of Indoor air quality results in homes--use as an educational/marketing approach to bring in more participants – Tribe

###### Possible\*

- *None at this time*

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's radar and will continue to be considered over time.

**Plans to Manage EPA Regulatory Programs:**

Not Applicable

**Needed Assistance:**

GAP needed all four years of the ETEP

## 3.2 Education & Outreach

**Long-Term Goals:**

- The public will be aware of the environmental issues that the tribe faces on the Rancheria and on ancestral lands
- Encourage community members to be open to behavior change methods that lead to a healthier self, community, and environment
- Enable youth as positive change leaders in regards to environmental and sustainability issues

**Intermediate Objectives/Milestones:**2017-2018

None

2018-2019

- Develop post-event/activity evaluation policies and procedures. – Tribe, B.6.2, B.6.5, B.6.7
- Environmental Education Day – Tribe
- Continue development and expansion of the Environmental Departments website by developing new website resources and web pages on new topics.– Tribe, B.6.7

2019-2020

- Develop methods to conduct general public education, awareness, community engagement, and information exchange on issues related to human health and the environment– Tribe, B.6.7
- Participate in local/state/federal forums to obtain information on environmental regulation changes that affect the tribe – Tribe, B.2.2
- Provide articles for the main Tribal newsletter that provides information and details on Environmental Department projects and focuses on providing new information to Tribal members – Tribe, B.6.2, B.6.7

2020-2021

- Develop E&O events/activities guide with strategies, procedures, and recommendations for planning, organizing, implementing, and evaluating environmental E&O events and activities– Tribe, B.6.2, B.6.7
- Review, update, and implement the green marketing & public relations plan – Tribe, B.6.2, B.6.7
- Develop and implement separate E&O strategies targeting different segments of the Tribal community (youth, elders, tribal members, residents, employees, etc.), and integrate these strategies into the annual E&O plans– Tribe, C.6.2, C.6.7

Possible\*

- *None at this time*

*(These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.)*

**Plans to Manage EPA Regulatory Programs:**

Not Applicable

**Needed Assistance:**

GAP for years 18-21

### 3.3 Energy Resources

**Long-Term Goals:**

- The tribe will be 100% energy self-sufficient
- The tribe will aim for renewable energy sources

**Intermediate Objectives/Milestones:**2017-2018

- Submit proposals to DOE.– Tribe
- Work with GRID Alternatives to continue installing solar on tribal homes– Tribe, G.3.11
- Annually review and update the Energy Resources ETEP component, obtaining input from relevant departments, leaders, and other stakeholders– Tribe, A.1, A.3, B.5.1
- Annually review and update the ETEP Energy Resources Priority Program Area goals and objectives, obtaining input from relevant departments, Tribal Council, and other stakeholders–Tribe, A.1, A.3, B.5.1
- Obtain staff training to build skills and capacities relating to the energy resources program area objectives – Tribe, B.2.2, B.2.3
- Develop a GIS database and maps for energy issues, opportunities, activities, and infrastructure – Tribe, B.6.2, B.6.7, B.4.6
- Participate in local/state/federal forums to obtain information and pursue partnerships on energy resources issues and opportunities that relate to annual objectives –Tribe, B.6.8, C.3.20
- Conduct ongoing residential energy efficiency, energy conservation, and renewable energy education & outreach –Tribe

2018-2019

- Submit Grant proposals to DOE– Tribe
- Annually review and update the Energy Resources ETEP component, obtaining input from relevant departments, leaders, and other stakeholders– Tribe, A.1, A.3, B.5.1
- Annually review and update the ETEP Energy Resources Priority Program Area goals and objectives, obtaining input from relevant departments, Tribal Council, and other stakeholders– Tribe, A.1, A.3, B.5.1
- Conduct ongoing residential energy efficiency, energy conservation, and renewable energy education & outreach –Tribe
- Continue implementing low income residential solar installation program through a partnership with GRID Alternatives– Tribe, G.3.11

2019-2020

- Annually review and update the Energy Resources ETEP component, obtaining input from relevant departments, leaders, and other stakeholders– Tribe, A.1, A.3, B.5.1
- Annually review and update the ETEP Energy Resources Priority Program Area goals and objectives, obtaining input from relevant departments, Tribal Council, and other stakeholders– Tribe, A.1, A.3, B.5.1



- Obtain staff training to build skills and capacities relating to the energy resources program area objectives– Tribe, B.2.2, B.2.3
- Participate in local/state/federal forums to obtain information and pursue partnerships on energy resources issues and opportunities that relate to annual objectives– Tribe, B.6.8, C.3.20
- Develop and implement building codes, laws, or policies that require renewable energy, energy efficiency, and/or energy conservation– Tribe, B.7.3, C.3.17
- Adopt a tribal energy efficiency and conservation code for new construction –Tribe, C.3.17, G.3.11
- Develop and adopt an energy policy covering energy efficiency, renewable energy, and conservation –Tribe, C.3.17, G.3.11
- Continue implementing low income residential solar installation program through a partnership with GRID Alternatives –Tribe, G.3.11
- Conduct ongoing residential energy efficiency, energy conservation, and renewable energy education & outreach --Tribe

#### 2020-2021

- Annually review and update the Energy Resources ETEP component, obtaining input from relevant departments, leaders, and other stakeholders – Tribe, A.1, A.3, B.5.1
- Annually review and update the ETEP Energy Resources Priority Program Area goals and objectives, obtaining input from relevant departments, Tribal Council, and other stakeholders– Tribe, A.1, A.3, B.5.1
- Conduct a microgrid feasibility study– Tribe, C.3.17, G.3.11
- Conduct a renewable energy feasibility study –Tribe
- Conduct a solar feasibility study for tribal facilities– Tribe, C.3.17, G.3.11
- Implement energy efficiency, renewable energy, and energy conservation measures at the Tribal Office pursuant to the feasibility study and action plan –Tribe, C.3.17, G.3.11
- Continue implementing low income residential solar installation program through a partnership with GRID Alternatives –Tribe, G.3.11
- Establish the Division of Energy Development within the framework of the Tribal Environmental Department –Tribe
- Conduct ongoing residential energy efficiency, energy conservation, and renewable energy education & outreach –Tribe

#### Possible\*

- *None at this time*

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.

#### **Plans to Manage EPA Regulatory Programs:**

None

#### **Needed Assistance:**

GAP funding for qualifying objectives

## **3.4 Emergency Management**

#### **Long-Term Goals:**

- Incident Command Staff will maintain the appropriate level of training and conduct drills routinely

- Department staff will maintain the necessary training in hazardous materials response
- Potential for environmental disaster damage will be minimized through planning and mitigation

#### **Intermediate Objectives/Milestones:**

##### 2017-2018

- Conduct emergency drills– Tribe
- Update emergency plans annually– Tribe
- Maintain hazardous materials response training– Tribe, E.3.2

##### 2018-2019

- Maintain hazardous materials response training– Tribe, E.3.2
- Review Incident Command Team and evaluate whether they are up to date on trainings, coordinate trainings if needed– Tribe

##### 2019-2020

- Develop, test, evaluate, and deliver E&O literature, materials, and activities on environmental emergencies issues and opportunities relating to annual objectives – Tribe, B.6.2, B.6.3, B.6.7, F.3.5, F.3.9
- Maintain hazardous materials response training– Tribe, E.3.2
- Expand EOP to include more materials and information on Continuity of Operations

##### 2020-2021

- Maintain hazardous materials response training– Tribe, E.3.2
- Review Incident Command Team and evaluate whether they are up to date on trainings, coordinate trainings if needed– Tribe

#### Possible\*

- *None at this time*

(These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.)

#### **Plans to Manage EPA Regulatory Programs:**

None

#### **Needed Assistance:**

GAP needed all four years of this ETEP.

## **3.5 General/Administrative**

#### **Long-Term Goals:**

- Staff will establish and maintain the necessary trainings to implement environmental programs and goals
- A transparent and organized record system will be created to effectively serve the department
- Financial reporting requirements will be routinely maintained with assistance from the financial department

#### **Intermediate Objectives/Milestones:**

##### 2017-2018

- Acquire a written statement from the Finance Director that the Tribes accounting system, internal controls, reporting procedures adhere to the requirements found in 40 C.F.R. 31. – Tribe, B.3.1

- Acquire a written statement from the Procurement Director statement that the Tribe has a procurement policy that meets the minimum requirements for purchasing systems as outlined in 40 C.F.R. 31– Tribe, B.3.2
- Obtain a current indirect cost proposal – Tribe, B.3.5
- Create a written inventory of administrative and technical procedures, policies, regulations or other guidelines developed to implement the environmental program – Tribe, B.4.2
- Submit grant proposals to EPA – Tribe
- Submit proposals to BIA –Tribe
- Submit proposals to local agencies –Tribe

#### 2018-2019

- Develop an administrative procedures policy – Tribe, B.2.6
- Develop a system to store and organize data and information collected or generated by the environmental department for future use in characterizing environmental and human health issues and responding to information requests – B.4.3
- Develop policies and procedures for reviewing, utilizing, updating, and communicating the Environmental Departments Strategic Plan – Tribe, A.1, A.3, B.2.4, B.5.1
- Develop policies and procedures for the regular review, evaluation, revision, utilization, and communication of the ETEP work plan – Tribe, A.1, A.3, B.2.4, B.2.8, B.5.1
- Develop policies and procedures to coordinate the environmental programs with the other departments. (housing, public works, maintenance, etc) – Tribe, B.2.8
- Annual EPA/Tribal Conference –Tribe
- Submit grant proposals to EPA --Tribe
- Submit grant proposals to BIA –Tribe
- Submit proposals to State and local agencies --Tribe
- Submit quarterly reports to EPA and Tribal Council –Tribe
- Submit written reports to the Tribal membership at the General Council Meeting –Tribe
- Submit end of year report highlighting accomplishments for the year –Tribe
- Joint evaluation will be completed by the EPA Project Officer and the Environmental Department Staff –Tribe and EPA

#### 2019-2020

- Identify environmental/watershed restoration projects on ancestral lands and how the tribe can become involved – Tribe
- Annually review and evaluate the Environmental Department's available funding and distribution among programs with respect to upcoming ETEP annual objectives, identify options, and recommend/request changes in funding allocations and distribution (if needed) to tribal decision-makers and/or agencies] – Tribe, B.2.4, B.8.3
- Develop a written procedure for establishing an official file for each assistance award that contains all documentation from application through final closeout and that requires record retention in compliance with 40 C.F.R. Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."– Tribe, B.4.1
- Conduct an Standard Operating Procedures (SOPs) needs assessment across all Environmental Department programs and activities (including financial and administrative); Prepare a plan to develop SOPs for each program (where needed SOPs have been identified) – Tribe, B.4.2
- Establish core information management capacities: assess, modify, develop systems to maintain administrative records and files, useful reference material for the ENR program, and info on enviro and human health conditions. Identify location of hard copies, reference libraries – Tribe, B.4
- Develop policies and procedures for protecting sensitive tribal environmental and human health data (e.g. traditional ecological knowledge and cultural resources) –Tribe, B.4.5

#### 2020-2021

- Update record/database of past environmental projects– Tribe, B.4.3
- Identify, develop, and implement needed administrative/financial policies and procedures – Tribe
- Identify and assess opportunities for mutually-beneficial inter-jurisdictional collaboration on shared environmental issues and opportunities with federal, state, and local agencies – Tribe
- Provide articles for the main Tribal newsletter that provides information and details on Environmental Department projects and focuses on providing new information to Tribal members– Tribe, B.6.2, B.6.7

#### Possible\*

- *None at this time*  
(These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.)

#### **Plans to Manage EPA Regulatory Programs:**

None

#### **Needed Assistance:**

GAP funding for applicable objectives

### **3.6 Bio-Intensive Lands**

#### **Long-Term Goals:**

- Permaculture and Bio-intensive principles will be used throughout the Rancheria: beautifying space, producing native foods and medicines, and sequestering carbon
- Green spaces will be included throughout new developments; these spaces will include native plants and foods

#### **Intermediate Objectives/Milestones:**

##### 2017-2018

- Identify, plan for, and/or implement green spaces throughout the rancheria (Tribe)

##### 2018-2019

- Identify, plan for, and/or implement green spaces throughout the rancheria (Tribe)

##### 2019-2020

- Identify, plan for, and/or implement green spaces throughout the rancheria (Tribe)

##### 2020-2021

- Identify, plan for, and/or implement green spaces throughout the rancheria (Tribe)

##### Possible\*

- Research, prepare, and distribute a list of native and cultural plants for use in habitat restoration, landscaping, nursery operations, agriculture, and other vegetation projects– Tribe, B.6.2, B.6.7, D.3.6

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.

#### **Plans to Manage EPA Regulatory Programs:**

Not applicable

**Needed Assistance:**

Grants from different organizations will be applied for. Possible funding sources are First Nations Development Institute, Seventh Generation Fund, Humboldt Area Foundation, USDA.

### 3.7 Waste Management

**Long-Term Goals:**

- Compost and recycling effectivity will be maximized
- Source reduction will be an integrated aspect of our waste management

**Intermediate Objectives/Milestones:**2017-2018

- Conduct a waste stream characterization study for the Tribal Facilities. Which include Tish Non Community Center, Bear River Tobacco Traders and Bear River Recreation Center – Tribe, E.3.6
- Create an Integrated Solid Waste Management Plan – Tribe, E.3.7
- Attend training on waste stream characterization– Tribe, B.2.3
- Attend training on creating an ISWMP – Tribe, B.2.3

2018-2019

- Conduct community outreach and education activities to assess community knowledge and interest in source reduction, managing household waste, recycling, and composting – Tribe, B.6.2, B.6.7, E.3.5

2019-2020

- Design and Implement outreach materials on source reduction– Tribe

2020-2021

There are currently no objectives for 20-21

Possible\*

- *None at this time*

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.

**Plans to Manage EPA Regulatory Programs:** None at this time

**Needed Assistance:**

Training will be needed in 2017-18

GAP financial assistance will be needed 2017-2020

### 3.8 Water Resources

**Long-Term Goals:**

- The tribe will establish its own water quality standards
- Reduce or eliminate non-point source pollution impacts on surface waters, ground water, and sensitive habitats
- Reduce or eliminate source pollution impacts on surface waters, ground water, and sensitive habitats
- Focus on restoring health of ancestral watersheds

### **Intermediate Objectives/Milestones:**

#### 2017-2018

- Conduct water sampling– Tribe
- Enter water quality data into tribal database – Tribe
- Update the QAPP (include new portable lab equip used)– Tribe
- Prepare the annual water quality assessment– Tribe
- Conduct Public Outreach on 106 accomplishments and water quality issues– Tribe
- Attend the annual EPA/Tribal Region 9 Conference –Tribe
- Submit quarterly reports to EPA and Tribal Council—Tribe

#### 2018-2019

- Conduct water sampling– Tribe
- Enter water quality data into tribal database– Tribe
- Prepare the annual water quality assessment – Tribe
- Conduct Public Outreach on 106 accomplishments and water quality issues– Tribe
- Attend the annual EPA/Tribal Region 9 Conference– Tribe
- Submit quarterly reports to EPA and Tribal Council—Tribe
- Establish Best Management Practices to eliminate NPS pollution –Tribe
- Coordinate with Hoopa TCCC to help with removal of invasive plants from wetland areas –Tribe

#### 2019-2020

- Expand wetland buffer zones– Tribe
- Establish Best Management Practices to eliminate NPS pollution– Tribe
- Coordinate with Hoopa TCCC to help with removal of invasive plants from wetland areas – Tribe
- Conduct water sampling– Tribe
- Enter water quality data into tribal database– Tribe
- Prepare the annual water quality assessment –Tribe
- Conduct Public Outreach on 106 accomplishments and water quality issues –Tribe
- Attend the annual EPA/Tribal Region 9 Conference –Tribe
- Submit quarterly reports to EPA and Tribal Council –Tribe

#### 2020-2021

- Establish Best Management Practices to eliminate NPS pollution– Tribe
- Coordinate with Hoopa TCCC to help with removal of invasive plants from wetland areas – Tribe
- Conduct water sampling – Tribe
- Enter water quality data into tribal database– Tribe
- Prepare the annual water quality assessment –Tribe
- Conduct Public Outreach on 106 accomplishments and water quality issues –Tribe
- Attend the annual EPA/Tribal Region 9 Conference –Tribe
- Submit quarterly reports to EPA and Tribal Council –Tribe

#### Possible\*

- *None at this time*

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.

### **Plans to Manage EPA Regulatory Programs:**

None

### **Needed Assistance:**

-CWA 106 and 319

### 3.9 Wildlife & Habitat

#### Long-Term Goals:

- Habitat and wildlife will increase from effectively managed wetlands
- Habitat and wildlife will increase due to the planting of more native plants/green spaces
- Protect and sustain traditionally consumed plants and animals on ancestral lands and on the Rancheria

#### Intermediate Objectives/Milestones:

##### 2017-2018

- None

##### 2018-2019

- Establish Best Management Practices to eliminate NPS pollution– Tribe
- Coordinate with Hoopa TCCC to help with removal of invasive plants from wetland areas – Tribe

##### 2019-2020

- Establish Best Management Practices to eliminate NPS pollution –Tribe
- Expand wetland buffer zones –Tribe
- Coordinate with Hoopa TCCC to help with removal of invasive plants from wetland areas – Tribe

##### 2020-2021

- Establish Best Management Practices to eliminate NPS pollution– Tribe
- Coordinate with Hoopa TCCC to help with removal of invasive plants from wetland areas – Tribe

##### Possible\*

- *None at this time*

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.

#### Plans to Manage EPA Regulatory Programs:

None

#### Needed Assistance:

CWA 319 and other applicable local, state, or Fed grants.

### 3.10 Climate Change

#### Long-Term Goals:

- Community members will have awareness of how climate change effects their culture
- Mitigation methods will be implemented, adaptation will be second priority

#### Intermediate Objectives/Milestones:

##### 2017-2018

- Develop addendum to Climate Action Plan with detailed outlines of future plans containing mitigation and adaptation techniques – Tribe, BIA Climate Intern Grant

- Develop a supplemental plan, it will be separated so that each department will have a plan guiding them on how to be sustainable, also create a citizen's guide – Tribe, BIA Climate Intern Grant
- Implement climate adaptation or mitigation techniques identified in the CAP – Tribe, BIA Climate Intern Grant
- Create a display or lesson for Environmental Education day

#### 2018-2019

- Implement climate adaptation or mitigation techniques identified in the CAP – Tribe, Funding source TBD
- Create a display or lesson for Environmental Education day

#### 2019-2020

- Implement climate adaptation or mitigation techniques identified in the CAP – Tribe, Funding source TBD
- Create a display or lesson for Environmental Education day

#### 2020-2021

- Implement climate adaptation or mitigation techniques identified in the CAP – Tribe, Funding source TBD
- Create a display or lesson for Environmental Education day

#### Possible\*

- Obtain training on up to date climate science, mitigation, adaptation, techniques

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.

#### **Plans to Manage EPA Regulatory Programs:**

Not Applicable

#### **Needed Assistance:**

Need to pursue federal, state, and other grants to fund adaptation and mitigation projects.

GAP for environmental education day outreach

## **3.11 Multiple Areas**

#### **Long-Term Goals:**

- Broaden awareness and understanding of environmental issues
- Connect tribal community to environmental opportunities
- Enrich the communal and natural environment of the Rancheria through our programs
- Comply with environmental laws, codes, and regulations.
- Strive for tribal sovereignty through establishment of independent environmental programs and initiatives.

#### **Intermediate Objectives/Milestones:**

##### 2017-2018

- Create an Environmental Education and outreach plans and (or) curricula– Tribe, B.6.3
- Environmental Education Day – Tribe, B.6.7
- Annual EPA/Tribal Conference– Tribe, B.2.3



- Attend NAEPC board meeting– Tribe, B.2.3
- Submit quarterly reports to EPA and Tribal Council– Tribe
- Submit written reports to the Tribal Membership at the General Council Meetings- Tribe
- Submit end of year report highlighting accomplishments for the year- Tribe
- Joint evaluation will be completed by EPA Project Officer and the Environmental Department Staff – Tribe & EPA
- Annual update and review of ETEP: new goals, objectives, input from relevant departments and council –Tribe & EPA

2018-2019

*None*

2019-2020

*None*

2020-2021

*None*

Possible\*

➤ *None at this time*

\*These objectives are not currently part of the plan, but can be included to make sure they stay on your department's/tribe's and will continue to be considered over time.

**Plans to Manage EPA Regulatory Programs:** None at this time

**Needed Assistance:**

GAP for 17/18

## Aboriginal Territory

